

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**CALVIN EUGENE JACKSON,
ADC #134338**

PETITIONER

v.

No. 5:14-cv-388-DPM

**WENDY KELLEY,* Director,
Arkansas Department of Correction**

RESPONDENT

ORDER

In March, the Court granted Jackson's motion to voluntarily dismiss his habeas petition. *No. 11*. But no separate Judgment issued. FED. R. CIV. P. 58(a) & (c)(2)(B); *Jeffries v. United States*, 721 F.3d 1008, 1012-13 (2013). Jackson now asks for a stay instead of dismissal. *No. 12*. Because Judgment hasn't been entered, and in the interests of justice to allow Jackson to possibly pursue relief in the Arkansas courts, the Court vacates the dismissal, *No. 11*. FED. R. CIV. P. 60(b)(6). The Court refers this case back to Magistrate Judge Volpe to consider Jackson's motion on its merits, *No. 12*.

*The Court directs the Clerk to amend the docket to reflect the current Director of the Arkansas Department of Correction, Wendy Kelley. FED. R. CIV. P. 25(d).

So Ordered.

D.P. Marshall Jr.
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United States District Judge

7 August 2015